



State Infrastructure Council

ACTION PACKET

**Tuesday, March 14, 2006
1:00 pm – 1:45 pm
404 House Office Building**

**Representative David D. Russell, Chair
Representative Adam Hasner, Vice Chair**

COUNCIL MEETING REPORT

State Infrastructure Council

3/14/2006 1:00:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
David Russell (Chair)	X		
Bob Allen	X		
Joyce Cusack	X		
Mike Davis	X		
Nancy Detert			X
Adam Hasner	X		
Bob Henriquez	X		
Randy Johnson	X		
Ray Sansom	X		
Dwight Stansel	X		
Totals:	9	0	1

Committee meeting was reported out: Tuesday, March 14, 2006 2:45:00PM

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COUNCIL MEETING REPORT

State Infrastructure Council

3/14/2006 1:00:00PM

Location: 404 HOB

Summary:

State Infrastructure Council

Tuesday March 14, 2006 01:00 pm

HB 267 CS	Favorable	Yeas: 8	Nays: 1
HB 273 CS	Favorable With Committee Substitute	Yeas: 9	Nays: 0
HB 375 CS	Favorable With Committee Substitute	Yeas: 9	Nays: 0
HB 385 CS	Favorable	Yeas: 9	Nays: 0
HB 487	Favorable With Committee Substitute	Yeas: 9	Nays: 0

Committee meeting was reported out: Tuesday, March 14, 2006 2:45:00PM

COUNCIL MEETING REPORT

State Infrastructure Council

3/14/2006 1:00:00PM

Location: 404 HOB

HB 267 CS : Driver License Services

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bob Allen	X				
Joyce Cusack		X			
Mike Davis	X				
Nancy Detert			X		
Adam Hasner	X				
Bob Henriquez	X				
Randy Johnson	X				
Ray Sansom	X				
Dwight Stansel	X				
David Russell (Chair)	X				
Total Yeas: 8		Total Nays: 1			

Appearances:

Driver License Services

Robert Wolfe - Proponent

Deputy Property Appraiser

Ft. Lauderdale FL

Phone: (957) 448-5732

Driver License Services

Fred Dickenson (Lobbyist) (State Employee) - Information Only

Department of Highway Safety & Motor Vehicle

Tallahassee FL 32399

Phone: (850) 487-3132

Committee meeting was reported out: Tuesday, March 14, 2006 2:45:00PM

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COUNCIL MEETING REPORT

State Infrastructure Council

3/14/2006 1:00:00PM

Location: 404 HOB

HB 273 CS : Outdoor Advertising

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bob Allen	X				
Joyce Cusack	X				
Mike Davis	X				
Nancy Detert			X		
Adam Hasner	X				
Bob Henriquez	X				
Randy Johnson	X				
Ray Sansom	X				
Dwight Stansel	X				
David Russell (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Appearances:

Outdoor Advertising

Pete Dunbar (Lobbyist) - Information Only

FL Outdoor Advertising Assn.

Tallahassee FL 32301

Phone: (850) 222-3533

Outdoor Advertising

William Jonson (General Public) - Opponent

Citizens for a Scenic Florida

Clearwater FL 33761

Phone: (727) 786-3075

Outdoor Advertising

Diana Grawitch (Lobbyist) - Information Only

FL Association of Counties

Tallahassee FL 32301

Outdoor Advertising

Kraig Conn (Lobbyist) - Information Only

FL League of Cities

Tallahassee FL 32301

Phone: (850) 222-9684

Committee meeting was reported out: Tuesday, March 14, 2006 2:45:00PM

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COUNCIL MEETING REPORT

State Infrastructure Council

3/14/2006 1:00:00PM

Location: 404 HOB

HB 375 CS : Motor Vehicle Registration

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bob Allen	X				
Joyce Cusack	X				
Mike Davis	X				
Nancy Detert			X		
Adam Hasner	X				
Bob Henriquez	X				
Randy Johnson	X				
Ray Sansom	X				
Dwight Stansel	X				
David Russell (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Committee meeting was reported out: Tuesday, March 14, 2006 2:45:00PM

COUNCIL MEETING REPORT

State Infrastructure Council

3/14/2006 1:00:00PM

Location: 404 HOB

HB 385 CS : Specialty License Plates

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bob Allen	X				
Joyce Cusack	X				
Mike Davis	X				
Nancy Detert			X		
Adam Hasner	X				
Bob Henriquez	X				
Randy Johnson	X				
Ray Sansom	X				
Dwight Stansel	X				
David Russell (Chair)	X				
Total Yeas: 9 Total Nays: 0					

Committee meeting was reported out: Tuesday, March 14, 2006 2:45:00PM

COUNCIL MEETING REPORT

State Infrastructure Council

3/14/2006 1:00:00PM

Location: 404 HOB

HB 487 : Commission for the Transportation Disadvantaged

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bob Allen	X				
Joyce Cusack	X				
Mike Davis	X				
Nancy Detert			X		
Adam Hasner	X				
Bob Henriquez	X				
Randy Johnson	X				
Ray Sansom	X				
Dwight Stansel	X				
David Russell (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Appearances:

Commission for the Transportation Disadvantaged

Tony Tizzio - Proponent

The Disabled

Cass. FL 32707

Phone: (407) 696-4168

Committee meeting was reported out: Tuesday, March 14, 2006 2:45:00PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **HB 273 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)

ADOPTED AS AMENDED — (Y/N)

ADOPTED W/O OBJECTION X (Y/N)

FAILED TO ADOPT — (Y/N)

WITHDRAWN — (Y/N)

OTHER —

Council/Committee hearing bill: State Infrastructure Council
Representative(s) Mayfield offered the following:

Amendment #1

Remove line(s) 47 and insert:

privately or other publicly owned property as follows:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. **HB 273 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☒ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Council/Committee hearing bill: State Infrastructure Council

Representative(s) Mayfield offered the following:

Amendment #2 (with title amendment)

Between line(s) 82 & 83 insert:

(d) This subsection shall not apply to the provisions of
any existing written agreement executed before July 1, 2006,
between any local government and the owner of an outdoor
advertising sign.

===== T I T L E A M E N D M E N T =====

On line(s) 20 after "requirement;" insert:

exempting certain existing written agreements between a local
government and a sign owner;

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

Bill No. HB 273 CS

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)

ADOPTED AS AMENDED — (Y/N)

ADOPTED W/O OBJECTION X (Y/N)

FAILED TO ADOPT — (Y/N)

WITHDRAWN — (Y/N)

OTHER —

Council/Committee hearing bill: State Infrastructure Council
Representative(s) Mayfield offered the following:

Amendment#3 (with title amendment)

Remove line(s) 108-133 and insert:

Building Code. If construction of a proposed noise-attenuation barrier will screen a sign lawfully permitted under this chapter, the department shall provide notice to the local government or local jurisdiction within which the sign is located prior to erection of the noise-attenuation barrier. Upon a determination that an increase in the height of a sign as permitted under this section will violate a provision contained in an ordinance or land development regulation of the local government or local jurisdiction, the local government or local jurisdiction shall so notify the department. When notice has been received from the local government or local jurisdiction prior to erection of the noise-attenuation barrier the department shall perform the following:

(1) Conduct a written survey of all property owners identified as impacted by highway noise and who may benefit from

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

22 the proposed noise-attenuation barrier. The written survey
23 shall specifically advise the impacted property owners that
24 erection of the noise-attenuation barrier:

25 (a) May block the visibility of an existing outdoor
26 advertising sign;

27 (b) The local government or local jurisdiction may restrict
28 or prohibit increasing the height of the existing outdoor
29 advertising sign to make it visible over the barrier; and

30 (c) If a majority of the impacted property owners vote for
31 construction of the noise-attenuation barrier, the local
32 government or local jurisdiction will have to: allow an
33 increase in the height of the sign in violation of a local
34 ordinance or land development regulation; allow the sign to be
35 relocated or reconstructed at another location if the sign owner
36 agrees; or pay the fair market value of the sign and its
37 associated interest in the real property.

38
39 The written survey shall inform the property owners of the
40 location, date, and time of the public hearing described in
41 subsection(2).

42 (2) Hold a public hearing within the boundaries of the
43 affected local governments or local jurisdictions to receive
44 input on the proposed noise-attenuation barrier and the conflict
45 with the local ordinance or land development regulation, and to
46 suggest or consider alternatives or modifications to the
47 proposed noise-attenuation barrier to alleviate or minimize the
48 conflict with the local ordinance or land development regulation
49 or minimize any costs which may be associated with relocating,
50 reconstructing or paying for the affected sign. The public
51 hearing may be held concurrent with other public hearings

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

52 scheduled for the project. The department shall provide a
53 written notification to the local government or local
54 jurisdiction of the date and time of the public hearing and
55 shall provide general notice of the public hearing in accordance
56 with the notice provisions of section 335.02(1). The notice
57 shall not be placed in that portion of the newspaper where legal
58 notices and classified advertisements appear. The notice shall
59 specifically state that erection of the proposed noise-
60 attenuation barrier:

61 (a) May block the visibility of an existing outdoor
62 advertising sign;

63 (b) The local government or local jurisdiction may restrict
64 or prohibit increasing the height of the existing outdoor
65 advertising sign to make it visible over the barrier;

66 (c) If a majority of the impacted property owners vote for
67 construction of the noise-attenuation barrier, the local
68 government or local jurisdiction will have to: allow an increase
69 in the height of the sign in violation of a local ordinance or
70 land development regulation; allow the sign to be relocated or
71 reconstructed at another location if the sign owner agrees; or
72 pay the fair market value of the sign and its associated
73 interest in the real property.

74
75 The department shall not permit erection of the noise-
76 attenuation barrier to the extent the barrier screens or blocks
77 visibility of the sign until after the public hearing is held
78 and until such time as the survey has been conducted and a
79 majority of the impacted property owners have indicated approval
80 to erect the noise-attenuation barrier. When the impacted
81 property owners approve of the noise-attenuation barrier

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

82 construction, the department shall notify the local governments
83 or local jurisdictions. The local government or local
84 jurisdiction shall, notwithstanding the provisions of a
85 conflicting ordinance or land development regulation: issue a
86 permit by variance or otherwise for the reconstruction of a sign
87 under this section; allow the relocation of a sign, or
88 construction of another sign, at an alternative location which
89 is permittable under the provisions of this chapter if the sign
90 owner agrees to relocate the sign or construct another sign; or
91 refuse to issue the required permits for reconstruction of a
92 sign under this section and pay fair market value of the sign
93 and its associated interest in the real property to the owner of
94 the sign. This section shall not apply to the provisions of any
95 existing written agreement executed before July 1, 2006, between
96 any local government and the owner of an outdoor advertising
97 sign ~~visibility screen, or other highway improvement.~~

100 ===== T I T L E A M E N D M E N T =====

101 Remove line(s) 28-29 and insert:

102
103 regulations; providing exemption for certain existing written
104 agreements between a local government and a sign owner;
105 providing for application;

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4

Bill No. HB 273 CS

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION X (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER —

Council/Committee hearing bill: State Infrastructure Council
Representative(s) Mayfield offered the following:

Amendment # 4

Remove line(s) 63-71 and insert:

(c) If a sign owner alleges any governmental entity or other party has violated this subsection, the sign owner must provide 90 days' written notice to the governmental entity or other party allegedly violating this subsection. If the alleged violation is not cured by the governmental entity or other party within the 90-day period, the sign owner may file a claim in the circuit court where the sign is located. A copy of such complaint shall be served contemporaneously upon the governmental entity or other party. If the circuit court determines a violation of this subsection has occurred, the court shall award a claim for compensation equal to the lesser of the revenue from the sign lost during the time of screening or the fair market value of the sign, and the governmental entity or other party shall pay the award of compensation subject to available appeal. Any modifications or

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5

Bill No. **HB 273 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☒ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Council/Committee hearing bill: State Infrastructure Council
Representative(s) Mayfield offered the following:

Amendment #5

Remove line(s) 80 and insert:

other projects shall not be subject to a claim of compensation
under this

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. HB 375 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION X (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER _____

Council/Committee hearing bill: State Infrastructure Council

Representative(s) Barreiro offered the following:

Amendment (with title amendment)

Remove line(s) 46-54 and insert:

(d) The application form for motor vehicle registration shall include language permitting the voluntary contribution of \$1 per applicant, to be distributed quarterly by the department to the Miami Heart Research Institute, Inc., doing business as the Florida Heart Research Institute, a corporation not for profit under s. 501(c)(3) of the Internal Revenue Code, to be used by that organization for the purpose of heart-disease research, education, and prevention programs.

===== T I T L E A M E N D M E N T =====

Remove line(s) 6-12 and insert:

An act relating to motor vehicle registration forms; requiring the application form to be revised to allow each applicant to make a contribution to the Miami Heart Research Institute, Inc.,

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

- 21 doing business as the Florida Heart Research Institute;
22 providing an effective date.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **HB 487**

COUNCIL/COMMITTEE ACTION

ADOPTED	— (Y/N)
ADOPTED AS AMENDED	— (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	— (Y/N)
WITHDRAWN	— (Y/N)
OTHER	—

1 Council/Committee hearing bill: State Infrastructure Council
2 Representative(s) Robaina offered the following:

3
4 **Amendment #1**

5 On line(s) 32 after Governor insert:

6
7 in accordance with the requirements of s. 20.052.
8
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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. **HB 487**

COUNCIL/COMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☒ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Council/Committee hearing bill: State Infrastructure Council
Representative(s) Robaina offered the following:

Amendment #2

Remove line(s) 51-60 and insert:

(f) At any given time, at least one member must be at least 65 years of age.

(g) The Secretary of Transportation, the Secretary of Children and Family Services, the director of Workforce Innovation, the executive director of the Department of Veterans' Affairs, the Secretary of Elderly Affairs, the Secretary of Health Care Administration, the director of the Agency for Persons with Disabilities, and a county manager or administrator who is appointed by the Governor, or a senior-management-level representative of each, shall serve as ex officio, nonvoting advisors to the commission.

(h) A member may not, within the 5 years immediately

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

Bill No. HB 487

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION X (Y/N)

FAILED TO ADOPT — (Y/N)

WITHDRAWN — (Y/N)

OTHER —

Council/Committee hearing bill: State Infrastructure Council
Representative(s) Robaina offered the following:

Amendment #3 (with title amendment)

Remove line(s) 168-174 and insert:

(8) The commission shall appoint a technical working group
that includes representatives of private paratransit providers.
The technical working group shall advise the commission on
issues of importance to the state, including information,
advice, and direction regarding the coordination of services for
the transportation disadvantaged. The commission may appoint
other technical working groups whose members may include

===== T I T L E A M E N D M E N T =====

Remove line(s) 14-15 and insert:

authorizing the commission to appoint technical working groups;
amending s. 427.013, F.S.; requiring the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4

Bill No. **HB 487**

COUNCIL/COMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☒ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Council/Committee hearing bill: State Infrastructure Council
Representative(s) Robaina offered the following:

Amendment #4 (with title amendment)

Remove line(s) 191-222.

===== T I T L E A M E N D M E N T =====

Removes line(s) 15-20 and insert:

groups; providing an

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